

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:
GERALD J. DEMENNA, individually : 07 CV 6240 (LAP)
and d/b/a CHEM-CHEK CONSULTING, :
:
: Plaintiffs, :
:
: -against- :
:
BUCK SCIENTIFIC, INC., ROBERT J. : NOTICE OF CROSS-MOTION
ANDERSON, and ERIC ANDERSON, and :
DAN WILLOUGHBY, individually and :
d/b/a D&N SCIENTIFIC, :
:
: Defendants. :
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:
BUCK SCIENTIFIC, INC., :
:
: Counterclaim Plaintiff, :
:
: -against- :
:
GERALD J. DEMENNA, :
:
: Counterclaim Defendant. :
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PLEASE TAKE NOTICE that on the 8th day of August, 2007, at 9:30 a.m. or as soon thereafter as counsel may be heard, defendants-counterclaim plaintiff Buck Scientific, Inc., Robert J. Anderson and Eric Anderson shall cross-move, before the Honorable Loretta A. Preska, U.S.D.J., at the United States Courthouse, Room 1320, 500 Pearl Street, New York, New York 10007, for the entry of an Order in the

form submitted herewith, denying plaintiff a preliminary injunction and granting to defendants a preliminary injunction preventing plaintiff DeMenna from using, utilizing, selling, transferring, disseminating or otherwise deriving any profit from any information or data in DeMenna's possession, custody and control, whether in hard copy or electronic or some other format, which lists, concerns or relates to Buck Scientific's customers, customer prospects or business affairs.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, defendants-counterclaim plaintiff shall rely upon this Notice of Cross-Motion, defendants' Answer to the Amended Complaint and Counterclaims, the Affidavit of Eric Anderson and supporting Exhibits, the Memorandum of Law in Opposition to Plaintiff's Motion for Preliminary Injunction and in Support of Defendants' Cross-Motion for a Preliminary Injunction against Plaintiff, the Certificate of Michael L. Ferch submitted herewith, and all prior pleadings and proceedings herein.

PLEASE TAKE FURTHER NOTICE that counsel for

defendants-counterclaim plaintiff hereby request oral  
argument.

Dated: August 2, 2007 LAW OFFICES OF GEORGE BIRNBAUM

By:



George P. Birnbaum [GB-5375]  
Michael L. Ferch [MF-6211]  
Attorneys for Defendants/  
Counterclaim Plaintiff  
130 West 57<sup>th</sup> Street/#5B  
New York, New York 10019  
(212) 956-1313

TO: FISCHER PORTER & THOMAS, P.C.  
Attorneys for Plaintiff  
440 Sylvan Avenue, Suite 130  
Englewood Cliffs, New Jersey 07632  
(201) 569-5959